# UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

IN RE:	§	<b>Chapter 13 Proceedings</b>
	§	
LANDY, CHARLIE V.	§	
LANDY, PATRICIA A.	§	
Debtor(s)	§	Case No. 03-54498
	8	

# EXPEDITED MOTION TO INCUR DEBT AND ALLOW FIRST REQUEST FOR ATTORNEY COMPENSATION

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## NOTICE OF OPPORTUNITY FOR HEARING

AN ORDER WILL BE ENTERED GRANTING THE RELIEF REQUESTED HEREIN WITHOUT FURTHER HEARING UNLESS A WRITTEN OBJECTION AND REQUEST FOR HEARING IS FILED WITH THE CLERK WITHIN TEN DAYS AFTER THE DATE OF ISSUANCE OF THIS NOTICE. ANY SUCH OBJECTION MUST ALSO BE SERVED UPON THE MOVING PARTY AND UPON ALL OTHER PERSONS INDICATED ON THE CERTIFICATE OF SERVICE ATTACHED TO THIS PLEADING.

## TO HONORABLE JUDGE OF SAID COURT:

Come now Debtors (so denominated whether individual or joint) and files this, Debtors Motion to Incur Debt the Motion and for cause would show as follows:

## 1. **Debt to be Incurred:**

Purpose of Debt: 2007 Jeep Liberty

Amount of Debt: \$21,892.24

Terms of payment: \$500.00 per month for sixty (60) months

# 2. Impact on Chapter 13 Plan:

Date of Filing: August 13, 2003

Date Confirmed: December 11, 2003

Confirmed/Modified Plan
Payment: \$411.00

Percentage of Repayment to Unsecured Creditors: 7% (No Change from original plan or last order modifying)

# 3. Feasibility of Plan:

Source of Payment

of New Debt: Debtor's earnings

Amended Budget: Attached are Debtors prior schedules I and J

and Debtors current schedules I and J as relates to this motion.

#### 4. Variance in Amounts:

Due to the inaccuracies of estimates on transactions of this sort, Debtor requests that he Court approve this motion and allow a variance of not more than fifteen percent in any of the amounts stated herein.

## 5. Justification for Motion

Debtors believe that the granting of this motion is in Debtors best interest, as Debtors must have reliable transportation to commute to and from work. The 1997 Jeep that was paid in plan will be traded in as it is in need of extensive mechanical work.

## 6. Administrative Fees

Debtors have incurred additional attorney's fees in the amount of \$475.00 for the preparation and filing of this motion, service on creditors, appearance at the hearing thereon, and hereby requests that said attorney's fees be added to their Chapter 13 Plan to be paid as an administrative expense as agreed under the plan. Post Confirmation attorney's fees awarded on this case are \$1000.00 (Application for Additional Attorney Fees filed 11/6/06 and Motion to Modify filed 7/14/07).

# 7. Prayer

Debtors request the Court enter and order-permitting debtors to incur new debt as specified herein. Debtors request such other and further relief as to which debtors may be entitled.

Dated8/10/07	
	Respectfully submitted,
	LAW OFFICE OF CHARLES J. BONDURANT
	11825 IH 10 West, Suite 202 San Antonio, Texas 78230 Telephone: (210) 690-2700 Telecopier: (210) 691-2862
	By:S/CHARLES J. BONDURANT
	ATTORNEY FOR DEBTOR(S)
	ICATE OF SERVICE
On 8/10/07 a delivered via facsimile to all those listed of	copy of this document was mailed, hand delivered or on the attached mailing matrix and also to:
Chapter 13 Trustee:	Debtor(s)
Marion A. Olson, Jr. Chapter 13 Trustee 1020 NE Loop 410, Suite 800 San Antonio, Texas 78209	Mr. & Mrs.
	<u>/s/</u> CHARLES J. BONDURANT

Alliance One PO Box 3101 Southeastern, PA 19398-3101

Allied Interstate 50-62N 19th Avenue, Suite 102 Phoenix, AZ 85015

American Medical Response Lardlan Medical Tansportation PO Box 847343 Dallas, TX 75284

Arrow Financial Services, LLC 5996 West Touhy Avenue Niles, IL 60714-4610

Arrow Financial Services, LLC PO Box 469005 Chicago, IL 60646-9005

Baptist Health System PO Box 840333 Dallas, TX 75284-8333

Capital One PO Box 34631 Seattle, WA 98124-1631

Chrysler Financial PO Box 5055 Southfield, MI 48086

Conn Credit Company PO Box 2358 Beaumont, TX 77704

Countrywide Home Loans 7105 Corporate Drive MS: PTX-B-65 Plano, TX 75024-3632

DEPT. OF HOUSING AND URBAN DEV ALLIED INTERSTATE PO BOX 530284

# ATLANTA, GA. 30353-0284

Financial Recovery Services, Inc. PO Box 385908 Minneapolis, MN 55438-5908

First Revenue Assurance PO Box 34393 Seattle, WA 98124-1393

FMA Alliance, Ltd. 1811 North Freeway #900 Houston, TX 77060

Frost National Bank Penn Credit Co. PO Box 988 Harrisburg, PA 17108-0988

Hospatists of San Antonio 7300 San Pedro #405 San Antonio, TX 78216

Household Bank Bankcard Services PO Box 60102 City of Industry, CA 91716-0102

Internal Revenue Service Attn: Special Procedures 300 E. 8th Street, STOP 5026AUS Austin, TX 78701

IPC of Texas PO Box 92729 Los Angeles, CA 90009-2729

ITT Financial Asset Acceptance Corp. PO Box 2036 Warren, MI 48090-2036

JC Penney's PO Box 960001 Orlando, FL 32896-0001 Kevin Epstein Chapter 11 Trustee Office of the U.S. Trustee P.O. Box 1539 San Antonio, Texas 78295-1539

MARION A OLSON CHAPTER 13 TRUSTEE 1020 NE LOOP 410 #800 San Antonio, TX 78209

Meadowlawn Memorial Park PO Box 200606 San Antonio, TX 78220-0606

National Furniture 2545 SW Military Drive San Antonio, TX 78224

NCO Financial Systems, Inc. PO Box 41417 Dept. 99 Philadelphia, PA 19101

NCO Financial Systems, Inc. PO Box 41457 Philadelphia, PA 19101-1457

Northland Group, Inc. PO Box 390846 Edina, MN 55439

Park Dansan 113 W. 3rd Avenue PO Box 248 Gastonia, NC 28053

Penn Credit Corporation PO Box 988 Harrisburg, TX 17108-0988

Protection One PO Box 79016 Phoenix, AZ 85062-9016 Providian Visa Card PO Box 9539 Manchester, NH 03108-9539

Sears 86 Annex Atlanta, GA 30386-0001

Smith, Roucher & Associates, Inc. 1456 Ellis Avenue Jackson, MS 39204-2204

Spiegal Charge FCNB Processing Center 9310 SW Gemini Drive Beaverton, OR 97078-0001

Transworld Systems, Inc. 5880 Commerce Boulevard Rohnert Park, CA 94928

US TRUSTEE PO BOX 1539 SAN ANTONIO, TEXAS 78295-1539